

Department 69 Policies and Procedures - Honorable Katherine A. Bacal



Central - Hall of Justice
Revised January 2014

Honorable Katherine A. Bacal, Presiding

Department 69 Phone Numbers

Court Clerk: (619) 450-7069
Calendar Clerk: (619) 450-7328

Civil Facilitator Pilot Program New

This department is participating in a new pilot program designed to assist litigants in resolving issues without costly protracted proceedings. Retired judges are available to act as facilitators on demurrer and discovery issues. Participation in the program is voluntary and there is no cost to the litigants. For further details, see [Facilitator Guidelines](#) and [Stipulation to Facilitator](#). If all parties are agreeable to participating in this program with respect to a specific issue or discovery dispute, please contact Jun Tinsley, program clerk, at (619) 450-5261; her e-mail is Jun.Tinsley@sdcourt.ca.gov

- 1. Ex Parte Matters:** Ex parte appearances are set by reservation for Tuesday, Wednesday and Thursday at 8:45 a.m., or at such other time as the court may designate. Papers are due by noon the day prior to the hearing, with the appropriate fee. All ex parte applications must comply with California Rules of Court.

The court makes itself available to the parties during ex parte hours to discuss discovery disputes prior to the filing of motions to compel. Although not required, the Court encourages such a discussion.

- 2. Law and Motion Matters:** All law and motion matters are heard by reservation. Call the calendar clerk at (619) 450-7328 to schedule a motion hearing.

Oral arguments on law and motion matters are heard at 1:30 p.m. on Fridays. Tentative rulings are issued pursuant to California Rules of Court and San Diego County Superior Court Rules and may be accessed any time after 4:00 p.m. on the date before the hearing.

- 3. Case Management Conferences:** Case management conferences are held on Fridays between 9:00 a.m.-10:30 a.m. as scheduled by the Court or as otherwise ordered by the Court.

- 4. Trial Readiness Conferences:** Trial readiness conferences are scheduled on Fridays at 11:00 a.m.

- 5. Trial Calls:** Trial counsel and self-represented parties are to appear for trial call on Friday at 8:40 a.m., or at such other time as the court may designate.

At Trial Call, trial counsel and pro se litigants are to present their completed joint trial readiness conference report as well as their joint trial notebook, which must contain the following:

1. agreed upon statement of the case;
2. joint witness list;
3. joint exhibit list with objections noted;
4. joint set of jury instructions, together with index, in the order in which they are requested to be given, with objections noted; and,
5. proposed verdict form(s).

- 6. Trials:** Trials take place Monday through Thursday, from 9:00 a.m. to 12:00 p.m. and 1:30 p.m. to 4:30 p.m. In limine motions must be filed at least **5 court days** prior to trial call. Opposition to in limine motions must be filed no later than **2 court days** prior to trial call.

- 7. Court Call Appearances:** Court Call Appearances are allowed without prior Court approval for all hearings EXCEPT: Trial Calls, Trial Readiness Conferences, and Order to Appear Hearings.

- 8. Guardian Ad Litem/Publication of Summons.** Petitions for appointment of a Guardian Ad Litem and applications for orders for publication of summons may be made ex parte without the necessity of an appearance. The moving papers

shall be submitted for review by the court and the court may set a hearing if such hearing is deemed necessary. Guardian Ad Litem applications will not be granted ex parte unless the moving party submits a declaration showing: a) the minor is not the subject of a juvenile dependency; b) the minor is not the subject of a probate guardianship; and c) if the parents are not living together, attaching a copy of the current child custody order.